

Instrument prepared by:

VIRGINIA GAS AND OIL BOARD

Order recorded under:

CODE OF VIRGINIA**§ 45.1-361.26****VIRGINIA:****BEFORE THE GAS AND OIL BOARD****APPLICANTS:**

CNX Gas Company on behalf of Swords
Creek Land Partners and Jackie Richardson,
et al, including Jackie Richardson and
Phyllis Richardson in Tract 1C, 1E, and 1F.

DOCKET NO.**03-0318-1132-01****RELIEF SOUGHT:**

Issuance: A Supplemental Order for Disbursement of Escrowed Funds

Action: Amending Prior Orders Affecting Drilling Unit FF-32, Tracts 1C, 1E, and 1F (a portion thereof) (Referenced herein as "the Subject Drilling Unit")

Location: Russell County, Virginia

Action Details:

- (1) To provide a calculation of funds, Unit Operator has deposited into the Escrow Account for Drilling Unit FF-32 by Tract Subaccounts;
- (2) To provide each applicant, in simple terms, a complete month over month Royalty Accounting of unit production, costs, taxes and proceeds, depicting variables used in the calculation of royalty payments to the unit escrow account.
- (3) To disburse unit funds to the Applicants, in accordance with their Unit Ownership Interests relative to those funds deposited by the Unit Operator into Subject Drilling Unit's Escrow Subaccount for **VGOB Tract(s) identified in Table 1.**

REPORT OF THE BOARD**FINDINGS AND ORDER**

1. **Hearing Date and Place:** This matter came on for final hearing before the Virginia Gas and Oil Board (herein "Board") at 9:00 a.m. on February 16, 2010, at the Southwest Virginia Higher Education Center on the campus of Virginia Highlands Community College, Abingdon, VA.
2. **Appearances:** Mark A. Swartz of Swartz Law Offices appeared for the Applicant; and Sharon M.B. Pigeon, Assistant Attorney General, was present to advise the Board.
3. **Jurisdiction and Notice:** Pursuant to Va. Code §§ 45.1-361.1 *et seq.*, and in particular Va. Code §§ 45.1-361.21 and 45.1-361.22, the Board finds that it has jurisdiction over the establishment and maintenance of an escrow account, with tract subaccounts, for each of the coalbed methane gas drilling units established by the Board through its field rules that are subject to a Board pooling order. Further, the Unit Operator is required to deposit, as applicable, those funds specified in Va. Code § 45.1-361.21.D., 45.1-361.22.A.2, 45.1-361.22.A.3 and 45.1-361.22.A.4 into the applicable escrow tract subaccounts. The Board finds that: (1) while it **does not** have jurisdiction to resolve conflicting claims to the ownership of the Coalbed Methane Gas produced by the Unit Operator from wells located on Subject Drilling Unit, and (2) while it **does not** have jurisdiction to interpret agreements by and between the Gas owners/claimants and/or the Unit Operators or to abridge or contravene the provisions of such agreements,

(3) pursuant to Va. Code § 45.1-361.22.A.5, the Board does have jurisdiction and authority to disburse funds from the Escrow Account provided the Board has been provided with a final decision of a court of competent jurisdiction adjudicating the ownership of coalbed methane gas as between the conflicting claimants or an agreement among all claimants owning conflicting estates in the tracts in question or any undivided interest therein.

4. **Prior Proceedings:**

- 4.1 (a) On March 18, 2003, the Board executed its order pooling interests in the Subject Drilling Unit for the production of occluded natural gas produced from coalbeds and rock strata associated therewith (herein "Gas") in accordance with the provisions of Va. Code SS 45.1-361.21 and 45.1-361.22 (herein "Pooling Order"). The Pooling Order was filed with the Clerk of the Circuit Court of Russell County on April 5, 2005, in Deed Book 628, Pages 0803 to 0824 Instrument 0501076. The Supplemental Order was executed and recorded in with the Clerk of the Court, Russell County on August 18, 2005, in Deed Book 636, Pages 0916 to 0934 Instrument 0502685.
- 4.2 To the extent claims to the Gas were in conflict, pursuant to Va. Code S 45.1-361-22 payments attributable to said conflicting claims were ordered deposited by the Unit Operator into the escrow account established by the Pooling Orders (herein "Escrow Account"). According to the Pooling Orders and testimony, the coal estate ownership interests of Swords Creek Land Partnership and the gas ownership interests of CNX Gas Company LLC (purchased from Randall Chares Robinette) in Tract 1C and of Jackie Richardson et al in Tracts 1E and 1F, in the Subject Drilling Unit were in conflict and became subject to the escrow requirements of the Pooling Order.
- 4.3 The Unit Operator's Miscellaneous Petition regarding Tracts 1C, 1E, and 1F, a copy of which is attached to and made a part hereof, states under oath that Swords Creek Land Partnership and the Applicants have entered into an agreement with regards to a Tracts 1C, 1E, and 1F and that by the terms of the agreements, Swords Creek Land Partnership has entered into a split agreement regarding these tracts. Escrow accounts regarding these individual conflicting claims detailed herein are no longer required for these parties.
- 4.4 The Unit Operator gave notice to Swords Creek Land Partnership and the Applicants that the Board would consider its disbursement authorization at its hearing on February 16, 2010 and consider whether to: (1) amend the Pooling Order to provide for the disbursement a portion of funds on deposit in the Escrow Account attributable to Tracts 1C, 1E, and 1F identified in the attached miscellaneous petition (2) delete the requirement that the Unit Operator place future royalties attributable to a portion of said Tracts 1C, 1E, and 1F relative to the interests of Applicants identified in the miscellaneous petition in the Escrow Account, and (3) continue the escrow account under this docket number because there are other parties in different Tracts under this order subject to continued payments in the escrow.
- 4.5 The Unit Operator filed the attached accounting for Subject Drilling Unit's Escrow Account with the Board ("Accounting").

5. **Findings:**

5.1. Va. Code 45.1-361.22.5 provides:

The Board shall order payment of principal and accrued interests, less escrow account fees, from the escrow account to conflicting claimants within thirty days of receipt of notification of (i) a final decision of a court of competent jurisdiction adjudicating the ownership of coalbed methane gas as between them or (ii) an agreement among all claimants owning conflicting estates in the tracts in question or any undivided interest therein. The amount to be paid to the conflicting claimants shall be determined based on the percentage of ownership interest of the conflicting claimants as shown in the operator's supplemental filing made part of the pooling order that established the escrow account, the operator's records of deposits attributable to those tracts for which funds are being requested, and the records of the escrow account for the coalbed methane gas drilling unit. The interests of any cotenants who have not entered into an agreement shall remain in the escrow account.

5.2 Applicant has certified and represented to the Board that:

- (1) Swords Creek Land Partnership and CNX Gas Company in Tract 1C and Jackie Richardson et al including Jackie Richardson and Phyllis Richardson in Tracts 1E and 1F; are the owners of the coal and gas acreage estate underlying a portion of VGOB Tracts 1C, 1E, and 1F of the Subject Drilling Unit FF-32;
- (2) Net interests attributable and to be disbursed to Applicants are shown in Table 1,

VGOB Approved Disbursement

VGOB-03-0318-1132-01

FF-32 AND FF32A

VGOB Approved Disbursement			As Given				
VGOB-03-0318-1132-01			Acerage	Acreage	Split		% of
FF-32 AND FF32A			Fraction	Interest	Agreement	Acres	Escrowed
Table 1			Funds				
		Tracts 1C, 1E, and 1F.					
Item	Tract	Disbursement Table					
						16.06000	
		Swords Creek Land Partnership - Coal	11.54000				
1	1 C	Swords Creek Land Partnership		11.5400	50.0%	5.7700	35.9278%
2	1 C	CNX Gas Company LLC / Purchased from Randall Charles Robinette		11.5400	50.0%	5.7700	35.9278%
		Swords Creek Land Partnership - Coal	0.41000				
3	1 E	Swords Creek Land Partnership			50.0%	0.2050	1.2765%
		Jackie Richardson et al					
4	1 E	Jackie Richardson	1/2	0.2050	50.0%	0.10	0.6382%
5		Phyllis Richardson	1/2	0.2050	50.0%	0.10	0.6382%
		Swords Creek Land Partnership - Coal	2.48000				
6	1 F	Swords Creek Land Partnership			50.0%	1.2400	7.7210%
		Jackie Richardson et al					
7	1 F	Jackie Richardson	1/2	1.2400	50.0%	0.62	3.8605%
8	1 F	Phyllis Richardson	1/2	1.2400	50.0%	0.62	3.8605%

6. Relief Granted:

For the reasons set forth in Paragraph 4 and 5 above, and based upon the Accounting and Table 1 above, the Escrow Agent is ordered to, within 10 days of receipt of this executed order to disburse funds for the unit and applicants detailed in Table 1 above.

Exhibit E to the Pooling Order, showing owners subject to escrow, is deleted and replaced with the Exhibit E attached to this order. Further, the Supplemental Order filed in this cause is hereby modified to delete the requirement that payments attributable to the conflicting coalbed methane gas ownership interests of those applicants indicated in Table 1 be deposited by the Unit Operator into the Escrow Account, and, because there are other owners subject to escrow under the Supplemental Order, the Escrow Agent is directed to continue the Escrow Account for Subject Drilling Unit. To the extent not specifically granted herein, any other or further relief is denied.

7. Conclusion:

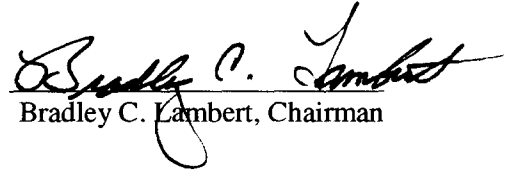
Therefore, the requested relief and all terms and provisions set forth above in Paragraph 6 above be and hereby are granted and **IT IS SO ORDERED**.

8. Appeals:

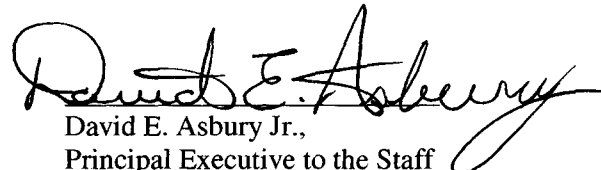
Appeals of this Order are governed by the provisions of Va. Code § 45.1-361.9 which provides that any order or decision of the Board may be appealed to the appropriate circuit court and that whenever a coal owner, coal operator, gas owner, gas operator, or operator of a gas storage field certificated by the State Corporation Commission is a party in such action, the court shall hear such appeal de novo.

9. **Effective Date:** This Order shall be effective on the date of its execution.

DONE AND EXECUTED this 16 day of Feb, 2010, by a majority of the Virginia Gas and Oil Board.

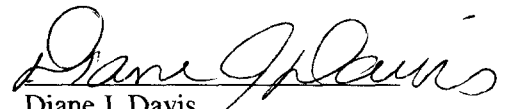

Bradley C. Lambert, Chairman

DONE AND PERFORMED this 16 day of Feb, 2010, by an Order of this Board.


David E. Asbury Jr.,
Principal Executive to the Staff
Virginia Gas and Oil Board

COMMONWEALTH OF VIRGINIA)
COUNTY OF ~~WASHINGTON~~

Russell Acknowledged on this 16 day of Feb, 2010, personally before me a notary public in and for the Commonwealth of Virginia, appeared **Bradley C. Lambert**, being duly sworn did depose and say that he is the Chairman of the Virginia Gas and Oil Board and **David E. Asbury Jr.**, being duly sworn did depose and say that he is Principal Executive to the Staff of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.


Diane J. Davis
Notary Public #174394

My commission expires: 09/30/2013



PETITIONER: CNX Gas Company LLC

DIVISION OF GAS AND OIL
DOCKET NO: VGOB 03-0318-1132-01RELIEF SOUGHT: (1) DISBURSEMENT FROM
ESCROW REGARDING TRACT(S) 1C, 1E, and 1F
(2) AND AUTHORIZATION FOR DIRECT
PAYMENT OF ROYALTIES

HEARING DATE: February 16, 2010

DRILLING UNIT: FF-32

RUSSELL COUNTY, VIRGINIA

JAN 2010
DMME
Lebanon OfficeMISCELLANEOUS PETITION

1. **Petitioner and its counsel:** Petitioner is CNX Gas Company LLC, 2481 John Nash Boulevard, Bluefield, West Virginia 24701, 304/323-6500. Petitioner's counsel is Mark A. Swartz, **SWARTZ LAW OFFICES, PLLC.**, 601 Sixth Avenue, Suite 201, P.O. Box 1808, St. Albans, WV 25177-1808.

2. **Relief sought:** (1) the disbursement of escrowed funds heretofore deposited with the Board's Escrow Agent(s) attributable to Tract(s) 1C, 1E, and 1F as depicted upon the annexed Exhibit A; and (2) authorization to begin paying royalties directly to the parties to the royalty split between Swords Creek Land Partnership and CNX Gas Company LLC and Swords Creek Land Partnership and Jackie Richardson, et al including Jackie Richardson and Phyllis Richardson

3. **Legal Authority:** Va. Code Ann. § 45.1-361.1 et seq., 4 VAC 25-160-140., and relevant Virginia Gas and Oil Board Orders ("Board") heretofore promulgated pursuant to law.

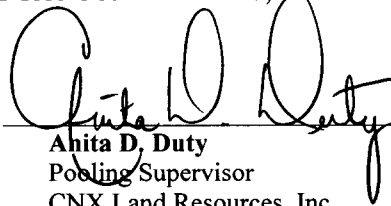
4. **Type of well(s):** Coalbed methane.

5. **Factual basis for relief requested:** Swords Creek Land Partnership and CNX Gas Company LLC and Swords Creek Land Partnership and Jackie Richardson, et al including Jackie Richardson and Phyllis Richardson have entered into royalty split agreement(s). Said royalty split agreement allows the Applicant and Designated Operator to pay royalties directly to the persons identified in Exhibit EE annexed hereto and the annexed Exhibit A, further, specifies how said royalties are to be divided and paid.

6. **Attestation:** The foregoing Petition to the best of my knowledge, information, and belief is true and correct.

CNX GAS COMPANY LLC
BY ITS PROFESSIONAL MANAGER
CNX GAS COMPANY LLC, PETITIONER

By:


Ahita D. Duty
Pooling Supervisor
CNX Land Resources, Inc.
2481 John Nash Blvd.
Bluefield, West Virginia 24701

VIRGINIA: IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF RUSSELL COUNTY, 03-01, 2010. This deed was this day presented in said office, and upon the certificate of acknowledgment thereto annexed, admitted to record at 1:12 o'clock P.M., after payment of \$ tax imposed by Sec. 58.1-802.

Original returned this date to: David Asbury

TESTE: ANN S. McREYNOLDS, CLERK
BY: Shirley Keltus D. CLERK

PROPERTY LINES SHOWN WERE TAKEN FROM MAPS PROVIDED BY CNX LAND RESOURCES, Inc. AND WERE NOT SURVEYED.

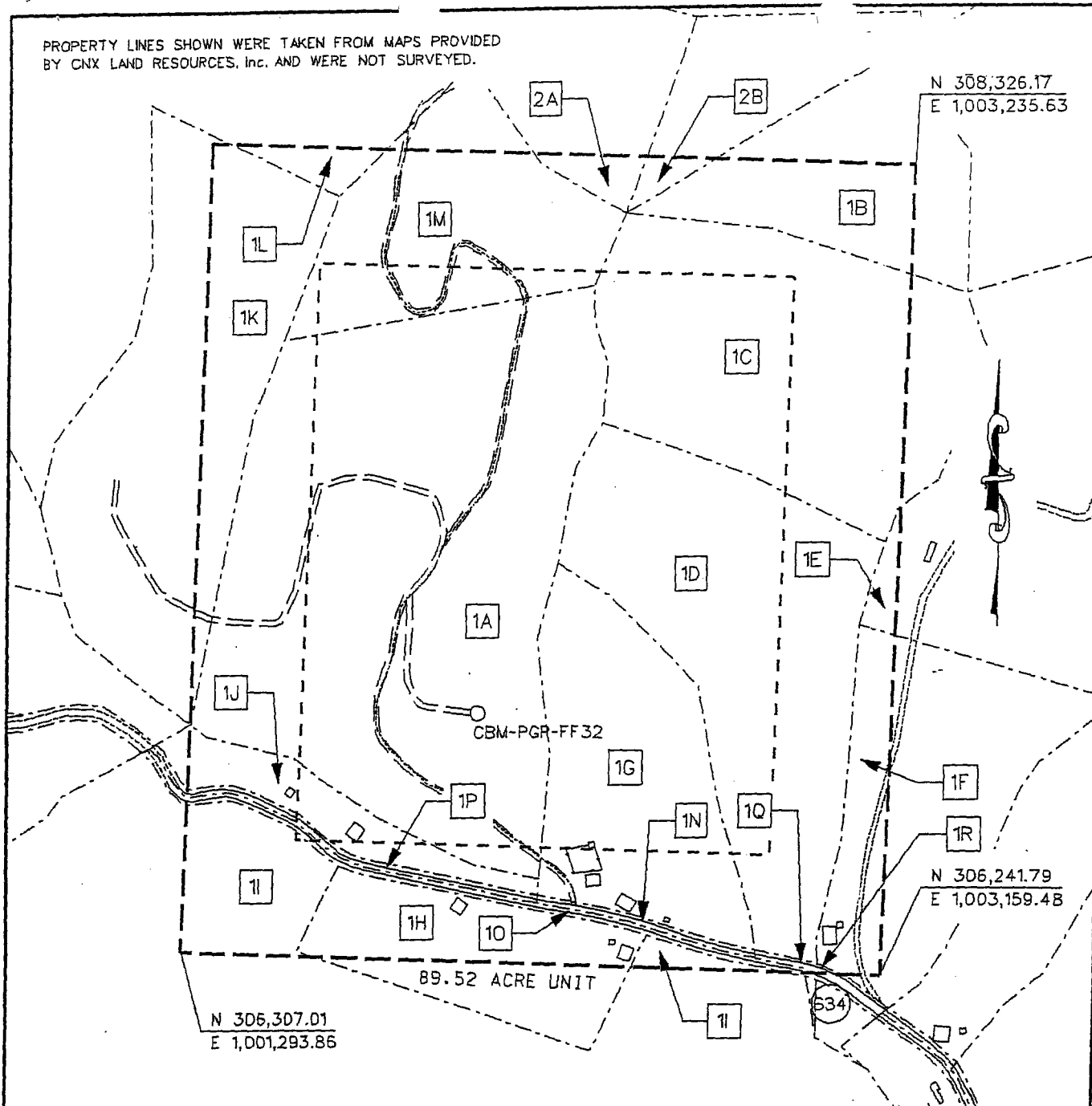


EXHIBIT A
OAKWOOD FIELD UNIT FF-32
FORCE PDDLING
VGOB-03-0318-1132

Company Pocahontas Gas Partnership Well Name and Number UNIT FF-32
Tract No. _____ Elevation _____ Quadrangle Keen Mountain
County Russell District New Garden Scale: 1" = 400' Date 2/26/03
This plat is a new plat X ; an updated plat _____ ; or a final plat No.

Form DGO-GO-7
Rev. 9/91

Charles D. Morgan
Licensed Professional Engineer or Licensed Land Surveyor

(Affix Seal)

POCAHONTAS GAS PARTNERSHIP**UNIT FF-32**

Tract Identifications
(89.52 Acre Unit)

- 1A. Swords Creek Land Partnership Tr. 21 – Coal
Reserve Coal Properties Company – Below Tiller Coal Leased
Knox Creek Coal Corporation – Tiller and Above Coal Leased
Pocahontas Gas Partnership – CBM Leased
Crossroads Management, L.L.C. – Surface and All Minerals except Coal
Pocahontas Gas Partnership – Oil, Gas and CBM Leased
26.63 acres 29.7474%
- 1B. Swords Creek Land Partnership Tr. 21 – Coal
Reserve Coal Properties Company – Below Tiller Coal Leased
Knox Creek Coal Corporation – Tiller and Above Coal Leased
Pocahontas Gas Partnership – CBM Leased
Clell Edward Metcalf, et al – Surface and All Minerals except Coal
Pocahontas Gas Partnership – Oil, Gas and CBM Leased
2.98 acres 3.3289%
- 1C. Swords Creek Land Partnership Tr. 21 – Coal
Reserve Coal Properties Company – Below Tiller Coal Leased
Knox Creek Coal Corporation – Tiller and Above Coal Leased
Pocahontas Gas Partnership – CBM Leased
Randall Charles Robinette – Surface and All Minerals except Coal
11.54 acres 12.8910%
- 1D. Swords Creek Land Partnership Tr. 21 – Coal
Reserve Coal Properties Company – Below Tiller Coal Leased
Knox Creek Coal Corporation – Tiller and Above Coal Leased
Pocahontas Gas Partnership – CBM Leased
William Andrew Plaster – Surface and All Minerals except Coal
Pocahontas Gas Partnership – Oil, Gas and CBM Leased
13.45 acres 15.0246%
- 1E. Swords Creek Land Partnership Tr. 21 – Coal
Reserve Coal Properties Company – Below Tiller Coal Leased
Knox Creek Coal Corporation – Tiller and Above Coal Leased
Pocahontas Gas Partnership – CBM Leased
Jackie Richardson, et al – Surface and All Minerals except Coal
Pocahontas Gas Partnership – Oil, Gas and CBM Leased
0.41 acres 0.4580%

POCAHONTAS GAS PARTNERSHIP**UNIT FF-32**

Tract Identifications
(89.52 Acre Unit)

- 1F. Swords Creek Land Partnership Tr. 21 – Coal
Reserve Coal Properties Company – Below Tiller Coal Leased
Knox Creek Coal Corporation – Tiller and Above Coal Leased
Pocahontas Gas Partnership – CBM Leased
Jackie Richardson, et al – Surface and All Minerals except Coal
Pocahontas Gas Partnership – Oil, Gas and CBM Leased
2.48 acres 2.7703%
- 1G. Swords Creek Land Partnership Tr. 21 – Coal
Reserve Coal Properties Company – Below Tiller Coal Leased
Knox Creek Coal Corporation – Tiller and Above Coal Leased
Pocahontas Gas Partnership – CBM Leased
Robert F. Richardson, et ux – Surface and All Minerals except Coal
8.30 acres 9.2717%
- 1H. Swords Creek Land Partnership Tr. 21 – Coal
Reserve Coal Properties Company – Below Tiller Coal Leased
Knox Creek Coal Corporation – Tiller and Above Coal Leased
Pocahontas Gas Partnership – CBM Leased
Edith Plaster, et al - Surface and All Minerals except Coal
Pocahontas Gas Partnership – Oil, Gas and CBM Leased
3.27 acres 3.6528%
- 1I. Swords Creek Land Partnership Tr. 21 – Coal
Reserve Coal Properties Company – Below Tiller Coal Leased
Knox Creek Coal Corporation – Tiller and Above Coal Leased
Pocahontas Gas Partnership – CBM Leased
Edith Plaster, et al - Surface and All Minerals except Coal
Pocahontas Gas Partnership – Oil, Gas and CBM Leased
3.40 acres 3.7980%
- 1J. Swords Creek Land Partnership Tr. 21 – Coal
Reserve Coal Properties Company – Below Tiller Coal Leased
Knox Creek Coal Corporation – Tiller and Above Coal Leased
Pocahontas Gas Partnership – CBM Leased
Crossroads Management, L.L.C. – Surface and All Minerals except Coal
Pocahontas Gas Partnership – Oil, Gas and CBM Leased
2.14 acres 2.3905%

POCAHONTAS GAS PARTNERSHIP

UNIT FF-32

Tract Identifications

(89.52 Acre Unit)

- 1K. Swords Creek Land Partnership Tr. 21 – Coal
 Reserve Coal Properties Company – Below Tiller Coal Leased
 Knox Creek Coal Corporation – Tiller and Above Coal Leased
 Pocahontas Gas Partnership – CBM Leased
 Crossroads Management, L.L.C. – Surface and All Minerals except Coal
 Pocahontas Gas Partnership – Oil, Gas and CBM Leased
 5.03 acres 5.6189%
- 1L. Swords Creek Land Partnership Tr. 21 – Coal
 Reserve Coal Properties Company – Below Tiller Coal Leased
 Knox Creek Coal Corporation – Tiller and Above Coal Leased
 Pocahontas Gas Partnership – CBM Leased
 Lacy L. Horton, et al – Surface and All Minerals except Coal
 0.61 acres 0.6814%
- 1M. Swords Creek Land Partnership Tr. 21 – Coal
 Reserve Coal Properties Company – Below Tiller Coal Leased
 Knox Creek Coal Corporation – Tiller and Above Coal Leased
 Pocahontas Gas Partnership – CBM Leased
 Crossroads Management, L.L.C. – Surface and All Minerals except Coal
 Pocahontas Gas Partnership – Oil, Gas and CBM Leased
 6.78 acres 7.5737%
- 1N. Swords Creek Land Partnership Tr. 21 – Coal
 Reserve Coal Properties Company – Below Tiller Coal Leased
 Knox Creek Coal Corporation – Tiller and Above Coal Leased
 Pocahontas Gas Partnership – CBM Leased
 Robert F. Richardson, et ux OR Commonwealth of Virginia – All Minerals except Coal
 Commonwealth of Virginia – Surface
 0.28 acres 0.3128%
- 1O. Swords Creek Land Partnership Tr. 21 – Coal
 Reserve Coal Properties Company – Below Tiller Coal Leased
 Knox Creek Coal Corporation – Tiller and Above Coal Leased
 Pocahontas Gas Partnership – CBM Leased
 Edith Plaster, et al OR Commonwealth of Virginia – All Minerals except Coal
 Pocahontas Gas Partnership – Oil, Gas and CBM Leased (If owned by Edith Plaster, et al)
 Commonwealth of Virginia – Surface
 0.79 acres 0.8825%

POCAHONTAS GAS PARTNERSHIP

UNIT FF-32

Tract Identifications

(89.52 Acre Unit)

- 1P. Swords Creek Land Partnership Tr. 21 – Coal
 Reserve Coal Properties Company – Below Tiller Coal Leased
 Knox Creek Coal Corporation – Tiller and Above Coal Leased
 Pocahontas Gas Partnership – CBM Leased
 Crossroads Management, L.L.C. OR Commonwealth of Virginia – All Minerals except Coal
 Pocahontas Gas Partnership – Oil, Gas and CBM Leased (If owned by Crossroads
 Management, L.L.C.)
 Commonwealth of Virginia – Surface
 0.46 acres 0.5139%
- 1Q. Swords Creek Land Partnership Tr. 21 – Coal
 Reserve Coal Properties Company – Below Tiller Coal Leased
 Knox Creek Coal Corporation – Tiller and Above Coal Leased
 Pocahontas Gas Partnership – CBM Leased
 William Andrew Plaster OR Commonwealth of Virginia – All Minerals except Coal
 Pocahontas Gas Partnership – Oil, Gas and CBM Leased (If owned by William Andrew Plaster)
 Commonwealth of Virginia – Surface
 0.08 acres 0.0894%
- 1R. Swords Creek Land Partnership Tr. 21 – Coal
 Reserve Coal Properties Company – Below Tiller Coal Leased
 Knox Creek Coal Corporation – Tiller and Above Coal Leased
 Pocahontas Gas Partnership – CBM Leased
 Jackie Richardson, et al OR Commonwealth of Virginia – All Minerals except Coal
 Commonwealth of Virginia – Surface
 0.02 acres 0.0223%
- 2A. Coal Mountain Mining Company Limited Partnership, L.L.P. Tr. 1 – Coal
 Consolidation Coal Company - Below Drainage Coal Leased
 New Garden Coal Corp. - Above Drainage Coal Leased
 Pocahontas Gas Partnership – Oil, Gas and CBM Leased
 Crossroads Management, L.L.C. – Surface and All Minerals except Coal
 Pocahontas Gas Partnership – Oil, Gas and CBM Leased
 0.55 acres 0.6144%
- 2B. Coal Mountain Mining Company Limited Partnership, L.L.P. Tr. 1 – Coal
 Consolidation Coal Company - Below Drainage Coal Leased
 New Garden Coal Corp. - Above Drainage Coal Leased
 Pocahontas Gas Partnership – Oil, Gas and CBM Leased
 Clell Edward Metcalf, et al – Surface and All Minerals except Coal
 Pocahontas Gas Partnership – Oil, Gas and CBM Leased
 0.32 acres 0.3575%

Tract-by-Tract Escrow Calculation
Account Balances as of 11/30/09

BOOK 71 PAGE 0350

Unit FF-32
VGOB 03-0318-1132-01
Acres Escrowed: 16.060000

Owners	Tract #	Acres	Owner Acres	Interest	Total Tract Percent of Escrow	Owners' Percent of Escrow (50%)	Amount Due Owners \$8,496.85
Swords Creek Land Partnership - Coal							
CNX Gas Company LLC - O&G	1C	11.54	71.85554%		71.8555%	35.9278%	\$3,052.73
						35.9278%	\$3,052.73
Swords Creek Land Partnership - Coal		0.410000				1.2765%	\$108.46
Jackie Richardson, et al - O&G	1E	0.41			2.5529%		
Jackie Richardson			0.2050	1/2		0.6382%	\$54.23
Phyllis Richardson			0.2050	1/2		0.6382%	\$54.23
Swords Creek Land Partnership - Coal		2.480000				7.7210%	\$656.05
Jackie Richardson, et al - O&G	1F	2.48			2.5529%		
Jackie Richardson			1.2400	1/2		3.8605%	\$328.02
Phyllis Richardson			1.2400	1/2		3.8605%	\$328.02

Wells contributing to the escrow account:

FF32 & FF32A

Exhibit E
Unit FF-32
Docket #VGOB 03-0318-1132-01
List of Conflicting Owners/Claimants that require escrow
(89.52 Acre Unit)

BOOK 718 PAGE 0351

	Acres in Unit	Interest in Unit
<u>Tract #1N, 0.28 acres*</u>		
<i>Escrow due to title conflict</i>		
<u>COAL OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.21 P.O. Box 29 Tazewell, VA 24651	0.28 acres	0.3128%
<u>OIL & GAS OWNERSHIP</u>		
(1) Robert F. Richardson, et ux. 3804 Pine Creek Rd. Swords Creek, VA 24649	0.28 acres	0.3128%
(OR)		
(1) Commonwealth of Virginia Dept. of Transportation 870 Bonham Road Bristol, VA 24201	0.28 acres	0.3128%
<u>Tract #1O, 0.79 acres*</u>		
<i>Escrow due to title conflict</i>		
<u>COAL OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.21 P.O. Box 29 Tazewell, VA 24651	0.79 acres	0.8825%
<u>OIL & GAS OWNERSHIP</u>		
(1) Edith R. Plaster, et al.	0.79 acres	0.8825%
(a) Edith Plaster 103 Nickle Road Swords Creek, VA 24649	0.395 acres 1/2 of 0.79 acres	0.4412%
(b) Rose Jackson 2517 Pine Creek Rd. Swords Creek, VA 24649	0.395 acres 1/2 of 0.79 acres	0.4412%
(OR)		
(1) Commonwealth of Virginia Dept. of Transportation 870 Bonham Road Bristol, VA 24201	0.08 acres	0.0894%

Exhibit E
Unit FF-32
Docket #VGOB 03-0318-1132-01
List of Conflicting Owners/Claimants that require escrow
(89.52 Acre Unit)

	Acres in Unit	Interest in Unit
<u>Tract #1P, 0.46 acres*</u>		
<i>Escrow due to title conflict</i>		
<u>COAL OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.21 P.O. Box 29 Tazewell, VA 24651	0.46 acres	0.5139%
<u>OIL & GAS OWNERSHIP</u>		
(1) Crossroads Management, LLC c/o Carrie Hille 437D Woodies Lane Bremen, IN 46506	0.46 acres	0.5139%
<i>(OR)</i>		
(1) Commonwealth of Virginia Dept. of Transportation 870 Bonham Road Bristol, VA 24201	0.46 acres	0.5139%
<u>Tract #1Q, 0.08 acres*</u>		
<i>Escrow due to title conflict</i>		
<u>COAL OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.21 P.O. Box 29 Tazewell, VA 24651	0.08 acres	0.0894%
<u>OIL & GAS OWNERSHIP</u>		
(1) William Andrew Plaster P.O. Box 918 Cedar Bluff, VA 24609	0.08 acres	0.0894%
<i>(OR)</i>		
(1) Commonwealth of Virginia Dept. of Transportation 870 Bonham Road Bristol, VA 24201	0.08 acres	0.0894%
<u>Tract #1R, 0.02 acres</u>		
<i>Escrow due to title conflict</i>		
<u>COAL OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.21 P.O. Box 29 Tazewell, VA 24651	0.02 acres	0.0223%

Exhibit E
Unit FF-32
Docket #VGOB 03-0318-1132-01
List of Conflicting Owners/Claimants that require escrow
(89.52 Acre Unit)

BOOK 718 PAGE 0353

	Acres in Unit	Interest in Unit
<u>OIL & GAS OWNERSHIP</u>		
(1) Jackie Richardson, et al.	0.02 acres	0.0223%
(a) Jackie Richardson 3700 Pine Creek Road Swords Creek, VA 24649	0.01 acres 1/2 of 0.02 acres	0.0112%
(b) Phyllis Richardson 3700 Pine Creek Road Swords Creek, VA 24649	0.01 acres 1/2 of 0.02 acres	0.0112%
(OR)		
(1) Commonwealth of Virginia Dept. of Transportation 870 Bonham Road Bristol, VA 24201	0.02 acres	0.0223%

***Note:** Although royalty splits are in place, the tract requires escrow due to clouded title.

Exhibit EE
Unit FF-32
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(89.52 Acre Unit)

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	Acres in Unit	Interest in Unit	Percent of Escrow
<u>Tract #1A, 26.63 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Swords Creek Land Partnership, Tr.21 P.O. Box 29 Tazewell, VA 24651	26.63 acres	29.7475%	
<u>OIL & GAS OWNERSHIP</u>			
(1) Crossroads Management, LLC c/o Carrie Hille 437D Woodies Lane Bremen, IN 46506	26.63 acres	29.7475%	
<u>Tract #1B, 2.98 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Swords Creek Land Partnership, Tr.21 P.O. Box 29 Tazewell, VA 24651	2.98 acres	3.3289%	
<u>OIL & GAS OWNERSHIP</u>			
(1) Clell Edward Metcalf, et al. c/o J.C. Franks, Agent 621 Peavler Street Marion, VA 24354	2.98 acres	3.3289%	
<u>Tract #1C, 11.54 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Swords Creek Land Partnership, Tr.21 P.O. Box 29 Tazewell, VA 24651	11.54 acres	12.8910%	
<u>OIL & GAS OWNERSHIP</u>			
(1) CNX Gas Company LLC 2481 John Nash Blvd. Bluefield, WV 24701 (purchased from Randall Charles Robinette)	11.54 acres	12.8910%	71.8555%
<u>Tract #1D, 13.45 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Swords Creek Land Partnership, Tr.21 P.O. Box 29 Tazewell, VA 24651	13.45 acres	15.0246%	

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	Acres in Unit	Interest in Unit	Percent of Escrow
<u>OIL & GAS OWNERSHIP</u>			
(1) William Andrew Plaster P.O. Box 918 Cedar Bluff, VA 24609	13.45 acres	15.0246%	
<u>Tract #1E, 0.41 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Swords Creek Land Partnership, Tr.21 P.O. Box 29 Tazewell, VA 24651	0.41 acres	0.4580%	
<u>OIL & GAS OWNERSHIP</u>			
(1) Jackie Richardson, et al.	0.41 acres	0.4580%	
(a) Jackie Richardson 3700 Pine Creek Road Swords Creek, VA 24649	0.21 acres 1/2 of 0.41 acres	0.2290%	0.6382%
(b) Phyllis Richardson 3700 Pine Creek Road Swords Creek, VA 24649	0.21 acres 1/2 of 0.41 acres	0.2290%	0.6382%
<u>Tract #1F, 2.48 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Swords Creek Land Partnership, Tr.21 P.O. Box 29 Tazewell, VA 24651	2.48 acres	2.7703%	
<u>OIL & GAS OWNERSHIP</u>			
(1) Jackie Richardson, et al.	2.48 acres	2.7703%	
(a) Jackie Richardson 3700 Pine Creek Road Swords Creek, VA 24649	1.24 acres 1/2 of 2.48 acres	1.3852%	3.8605%
(b) Phyllis Richardson 3700 Pine Creek Road Swords Creek, VA 24649	1.24 acres 1/2 of 2.48 acres	1.3852%	3.8605%
<u>Tract #1G, 8.30 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Swords Creek Land Partnership, Tr.21 P.O. Box 29 Tazewell, VA 24651	8.30 acres	9.2717%	

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	Acres in Unit	Interest in Unit	Percent of Escrow
<u>OIL & GAS OWNERSHIP</u>			
(1) Robert F. Richardson, et ux. 3804 Pine Creek Rd. Swords Creek, VA 24649	8.30 acres	9.2717%	
<u>Tract #1H, 3.27 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Swords Creek Land Partnership, Tr.21 P.O. Box 29 Tazewell, VA 24651	3.27 acres	3.6528%	
<u>OIL & GAS OWNERSHIP</u>			
(1) Edith R. Plaster, et al.	3.27 acres	3.6528%	
(a) Edith Plaster 103 Nickle Road Swords Creek, VA 24649	1.64 acres 1/2 of 3.27 acres	1.8264%	
(b) Rose Jackson 2517 Pine Creek Rd. Swords Creek, VA 24649	1.64 acres 1/2 of 3.27 acres	1.8264%	
<u>Tract #1I, 3.40 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Swords Creek Land Partnership, Tr.21 P.O. Box 29 Tazewell, VA 24651	3.40 acres	3.7980%	
<u>OIL & GAS OWNERSHIP</u>			
(1) Edith R. Plaster, et al.	3.40 acres	3.7980%	
(a) Edith Plaster 103 Nickle Road Swords Creek, VA 24649	1.70 acres 1/2 of 3.40 acres	1.8990%	
(b) Rose Jackson 101 Cole Street Richlands, VA 24641	1.70 acres 1/2 of 3.40 acres	1.8990%	
<u>Tract #1J, 2.14 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Swords Creek Land Partnership, Tr.21 P.O. Box 29 Tazewell, VA 24651	2.14 acres	2.3905%	

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	Acres in Unit	Interest in Unit	Percent of Escrow
<u>OIL & GAS OWNERSHIP</u>			
(1) Crossroads Management, LLC c/o Carrie Hille 437D Woodies Lane Bremen, IN 46506	2.14 acres	2.3905%	
<u>Tract #1K, 5.03 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Swords Creek Land Partnership, Tr.21 P.O. Box 29 Tazewell, VA 24651	5.03 acres	5.6189%	
<u>OIL & GAS OWNERSHIP</u>			
(1) Crossroads Management, LLC c/o Carrie Hille 437D Woodies Lane Bremen, IN 46506	5.03 acres	5.6189%	
<u>Tract #1L, 0.61 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Swords Creek Land Partnership, Tr.21 P.O. Box 29 Tazewell, VA 24651	0.61 acres	0.6814%	
<u>OIL & GAS OWNERSHIP</u>			
(1) Lacy Horton, et al.	0.61 acres	0.6814%	
(a) Lacy & Beulah Horton 1229 Pistol Mountain Rd. Swords Creek, VA 24649	0.48 19/24 of 0.61 acres	0.5395%	
(b) Clara A. Sisk 1447 Pistol Mountain Rd. Swords Creek, VA 24649	0.13 5/24 of 0.61 acres	0.1420%	
<u>Tract #1M, 6.78 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Swords Creek Land Partnership, Tr.21 P.O. Box 29 Tazewell, VA 24651	6.78 acres	7.5737%	

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	Acres in Unit	Interest in Unit	Percent of Escrow
<u>OIL & GAS OWNERSHIP</u>			
(1) Crossroads Management, LLC c/o Carrie Hille 437D Woodies Lane Bremen, IN 46506	6.78 acres	7.5737%	
<u>Tract #2A, 0.55 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Swords Creek Land Partnership, Tr.58 P.O. Box 29 Tazewell, VA 24651	0.55 acres	0.6144%	
<u>OIL & GAS OWNERSHIP</u>			
(1) Crossroads Management, LLC c/o Carrie Hille 437D Woodies Lane Bremen, IN 46506	0.55 acres	0.6144%	
<u>Tract #2B, 0.32 acres</u>			
<u>COAL OWNERSHIP</u>			
(1) Swords Creek Land Partnership, Tr.58 P.O. Box 29 Tazewell, VA 24651	0.32 acres	0.3575%	
<u>OIL & GAS OWNERSHIP</u>			
(1) Clell Edward Metcalf, et al. c/o J.C. Franks, Agent 621 Peavler Street Marion, VA 24354	0.32 acres	0.3575%	